

REVISED POLICY - SPECIAL UPDATE - MARCH 2012

HARASSMENT, INTIMIDATION, AND BULLYING

The South-Western City School District is committed to providing a safe, positive, and productive educational environment for all students. Therefore the Board has developed this policy, in consultation with parents, District employees, volunteers, students and community members as prescribed in R.C. 3313.666. Harassment, intimidation or bullying is prohibited while on school property, on school transportation, and at school-sponsored events.

For the purposes of this policy, the Board of Education defines harassment, intimidation, or bullying as any intentional written, verbal, **electronic**, or physical act that a student exhibits toward another particular student more than once, ~~that~~ **and the behavior both** causes mental or physical harm and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student. Harassment, intimidation, and bullying also includes violence within a dating relationship. **For purposes of this policy, "electronic act" means an act committed through the use of a cellular telephone, computer, pager, personal communication device, or other electronic communication device.**

Any harassing, intimidating, or bullying incidents reported by students, parents, or staff members to the principal or designated administrator will be investigated **to the extent possible in light of the available information. Such reports may be made anonymously in writing to the principal or designated administrator. However, the submission of anonymous reports may limit the potential scope of the resulting investigation. Any student making a report in which he or she is identified may request that his or her name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. The complaint will then be reviewed and reasonable action will be taken to address the situation, to the extent such action (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of harassment, intimidation, or bullying.**

Employees are required to report prohibited known incidents to the building principal or other designated administrator. The principal or other designated administrator will, in turn, document, respond to and promptly investigate any prohibited incident.

The filing of a complaint of harassment, intimidation, and bullying is a protected activity. If the complainant, victim, or offender is retaliated against, disciplinary action against the person who retaliated will be taken. Reports of retaliation are to be made in the same manner as reports of harassment, intimidation, or bullying. The principal or other designated administrator will take steps reasonably necessary to protect a victim or other person from new or additional harassment, intimidation, or bullying, and from retaliation following a report.

Any student found guilty of harassment, intimidation, or bullying may be disciplined in accordance with South-Western City Schools discipline policies, the South-Western City Schools Student Code of Conduct, and any applicable State law; however, this discipline will not infringe on any student's rights under the first amendment to the Constitution of the United States. **Students found responsible for harassment, intimidation, or bullying by an electronic act may be disciplined, up to suspension and/or expulsion.**

Students are prohibited from deliberately making false reports of harassment, intimidation, or bullying, and may be disciplined pursuant to the Student Code of Conduct for deliberately making a false report of that nature.

Any allegations of criminal misconduct will be reported to the appropriate law enforcement agency. Suspected cases of child abuse must be reported to Franklin County Children's Services or the local law enforcement agency in accordance with statute.

~~Parents or guardians~~ **The custodial parent or guardian** of any student involved in a prohibited harassment, intimidation, or bullying incident will be notified and will have access to any written reports pertaining to the prohibited incident to the extent permitted by R.C. 3319.321 (Confidentiality of Student Information) and the "Family Educational Rights and Privacy Act of 1974," (FERPA).

Suggested strategies for protecting a victim from additional harassment, intimidation, bullying, or retaliation for making such a report are outlined in the administrative guidelines for this policy.

The District Administration will provide to the President of the Board a written summary of all confirmed incidents semi-annually, and post the summary on the District web site to the extent permitted by R.C. 3319.321 (Confidentiality of Student Information) and the "Family Educational Rights and Privacy Act of 1974" (FERPA).

This policy shall appear in any student handbooks and in publications that set forth the comprehensive rules, procedures, and standards of conduct for students and schools in the South-Western City School District. **This policy and an explanation of the seriousness of bullying by electronic means shall be made available to students and their custodial parents or guardians.** Information regarding this policy shall be incorporated into any employee training materials. **Once per school year, a written statement describing this policy and the consequences for violations of this policy shall be sent to each student's custodial parent or guardian. The statement may be sent with regular student report cards or may be delivered electronically.**

Training on this policy shall be incorporated into the child abuse in-service training required by R.C. 3319.073, and training on the prevention of dating violence shall be incorporated into such training for middle school and high school employees. The Superintendent or designee shall develop curricula for these purposes.

A school district employee, student, or volunteer shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy and R.C. 3313.666 if that person reports an incident of harassment, intimidation, or bullying promptly in good faith and in compliance with this policy.

To the extent that state or federal funds are appropriated for this purpose, the South-Western City School District shall require that all students enrolled in the District annually be provided with age-appropriate instruction, as determined by the Board, on this policy, including a written or verbal discussion of the consequences for violations of this policy.

To the extent that State and Federal funds are appropriated for these purposes, the South-Western City School District shall provide training, workshops, or courses regarding the District's harassment, intimidation, and bullying policy to employees who have direct contact with students. Employees who participate in such training will earn any State or district mandated continuing education credits as a result of the training. ~~In addition to the extent that State and Federal funds are appropriated for these purposes, the South-Western City School District shall develop a formal process for educating students about this policy.~~

The Superintendent shall develop administrative guidelines to implement this policy including appropriate procedures for reporting, documenting and investigating complaints of harassment, intimidation, and bullying.

R.C. 3313.666 District Policy Prohibiting Harassment Required
R.C. 3313.667 District Bullying Prevention Initiatives
R.C. 3319.321 Confidentiality of Student Information
88 Stat. 571
20 U.S.C. 1232q "Family Educational Rights and Privacy Act of 1974" (FERPA)

**BOARD OF EDUCATION
SOUTH-WESTERN CITY SCHOOL DISTRICT**

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